



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

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Dear Interested Party:

Thank you for participating in the rule development process for the wild steelhead moratorium. The enclosed document, the Concise Explanatory Statement, is the final step in that process. This document contains the original rule proposals that were sent out for comment, a summary of the major points brought out in the testimony supporting and opposing the retention of the moratorium, and the modification made by the Commission to the original proposal, as well as the Commission's reason for adopting the rules, and their response to comments on the proposed rules.

You were sent this document because you have participated in the steelhead moratorium process or the sportfishing rule change process in some way either this year, or in the past; perhaps by requesting to be on the sportfishing rule change mailing list, sending in a proposal, attending a meeting, signing a petition, or submitting testimony.

Thank you again for your interest in Washington State's sport fisheries.

Sincerely

Patricia Michael  
Sportfishing Rules Coordinator

# Concise Explanatory Statement

## Wild Steelhead Moratorium

### Proposed rule change for WAC 232-12-619

Rule Description	Proposed Rule Change
Seasonal steelhead limit	Restore the annual limit of five wild steelhead, taken from waters where retention of wild steelhead is allowed.
Daily wild steelhead limit	Restore the daily limit of one wild steelhead, taken from waters where retention of wild steelhead is allowed.
Wild steelhead release	Restore language that would allow exceptions to the statewide rule of wild steelhead release.
Steelhead moratorium	Delete the language creating the moratorium.

### Adopted Rule for WAC 232-12-619

The adopted rule differs from the above in one way. The seasonal limit for wild steelhead was changed from five fish to one fish. In lowering the annual limit for wild steelhead, the Fish and Wildlife Commission stated their intent to act in a very conservative manner, while still allowing some harvest of wild steelhead on the streams described below.

### Proposed rule change for WAC 232-28-619

Area Description	Proposed Rule Changes
Bogachiel River – mouth to Highway 101	Restore rule allowing wild steelhead retention - <i>December 1 through April 30, one wild steelhead per day may be retained.</i>
Calawah River - mouth to Highway 101	Restore rule allowing wild steelhead retention - <i>December 1 through April 30, one wild steelhead per day may be retained.</i>
Clearwater River - mouth to Snahapish River	Restore rule allowing wild steelhead retention - <i>December 1 through April 15, one wild steelhead per day may be retained.</i>
Dickey River (including all forks)	Restore rule allowing wild steelhead retention - <i>December 1 through April 30, one wild steelhead per day may be retained.</i>
Goodman Creek outside Olympic National Park.	Restore rule allowing wild steelhead retention - <i>December 1 through last day of February, one wild steelhead per day may be retained.</i>
Green (Duwamish) River- From the First Avenue South Bridge to SW 43rd Street/South 180th Street Bridge:	Restore rule allowing wild steelhead retention - <i>July 1 through July 31 and September 16 through November 30, one wild steelhead per day may be retained.</i>
Green (Duwamish) River- From the SW 43rd Street/South 180th Street Bridge to South 277th Street Bridge in Auburn	Restore rule allowing wild steelhead retention - <i>July 1 through July 31 and October 1 through November 30, one wild steelhead per day may be retained.</i>
Green (Duwamish) River- From the 277th Street Bridge to Auburn-Black Diamond Road Bridge	Restore rule allowing wild steelhead retention - <i>July 1 through July 31 and October 16 through November 30, one wild steelhead per day may be retained.</i>
Green (Duwamish) River- From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam	Restore rule allowing wild steelhead retention - <i>July 1 through November 30, one wild steelhead per day may be retained.</i>
Hoh River from mouth to DNR Oxbow Campground Boat Launch	Restore rule allowing wild steelhead retention – <i>December 1 through April 15 one wild steelhead per day may be retained.</i>

Hoko River from mouth to upper Hoko Bridge	Restore rule allowing wild steelhead retention - <i>December 1 through March 15, one wild steelhead per day may be retained.</i>
Pysht River	Restore rule allowing wild steelhead retention - <i>December 1 through the last day of February, one wild steelhead per day may be retained.</i>
Quillayute River – from the mouth to the confluence of the Soleduck and Bogachiel River	Restore rule allowing wild steelhead retention - <i>December 1 through April 30, one wild steelhead per day may be retained.</i>
Quinault River, Upper from mouth at upper end of Quinault Lake to National Park boundary:	Restore rule allowing wild steelhead retention - <i>December 1 through April 15, one wild steelhead per day may be retained.</i> (Note: the end date for the season on the Upper Quinault River was changed from March 31 to April 15 during the normal rule change process. The steelhead moratorium then closed wild steelhead retention on the river. The proposed season shown reflects the new end date).
Soleduck River - from the mouth to the concrete pump station at the Sol Duc Hatchery	Restore rule allowing wild steelhead retention - <i>December 1 through April 30, one wild steelhead per day may be retained.</i>

### **Adopted rule for WAC 232-28-619**

This rule was adopted as proposed.

### **Summary of Testimony Received**

A huge amount of public testimony (several hundred letters and e-mails and several petitions) was received on this issue. The bulleted items capture the main points of those supporting and those opposing the moratorium.

#### **Major points of those supporting the retention (or extension) of the moratorium:**

- It does not prevent angling, but it does reduce the kill of wild steelhead. It will increase spawner abundance. During periods of low productivity this has paid off in watersheds such as the Chehalis.
- This regulation was recently enacted and should not be changed until the end of the trial period.
- Harvest of wild fish should be put on hold until the impact on wild stocks is understood. Harvest could impact stocks to a point they could not recover. The 2-year ban on harvest will allow time to review the data and make informed decisions based on science rather than emotions.
- Federal, State and Local governments are spending millions of dollars to save and protect wild steelhead runs, and private property owners have to grant protective buffers and treat water to protect these fish. Catch and release fishing has proven a successful alternative (Montana trout, Yakima River, etc.) providing local tourist/angler service industries dollars.
- MSH has a very poor track record for a variety of species. Too often, commercial interests, struggling against each other, farmed fish, etc. take a short-term view for their own survival. They are generally well organized and funded and make rational-sounding arguments calling for increasing harvest. The striped bass fishery is a case in point.
- We are at a crossroads. The runs are depressed in nearly every river system. Over the last 50 years, we have watched the number of healthy steelhead streams allowing wild fish harvest has dwindled from over 125 to a dozen. Most of the streams still open are in trouble as well, as the number of wild steelhead returning is on a downward trend.
- Urge you to make the moratorium permanent. Any community that thinks I am more likely to spend my fishing dollars in their city because I can kill a wild steelhead is mistaken – the opposite is the case. I don't care to fish where wild steelhead can be killed.
- It is time to realize our natural resources are limited and there are too many people on the earth. There is no lack of protein in our society.

- Many states have gone to wild steelhead release and the result has been overwhelmingly positive. Your own angler questionnaire showed over 56% of Washington steelhead anglers favor wild steelhead release.
- The runs deemed “sustainable” are by the standards of history greatly depleted. Never forget that combined with environmental degradation and other factors, we have the capacity to overharvest a resource to its extinction
- Wild steelhead are a state resource requiring protection throughout the state. The belief of managers that there is a harvestable surplus on the west end is a false premise based on outdated management paradigms and will lead to the long term demise of wild steelhead. The issues raised by the tribes concerning allocation have been solved in SW Washington where wild steelhead release has long been practiced.
- There is only one river system in the state with tribal and sport fisheries that is meeting its escapement goals; the Quillayute. If the Hoh and Queets cannot make escapement, something needs to be done. Tribal harvest is much greater than sport harvest, but we need to do what we can. Another issue is the overharvest of the Clearwater. With so few rivers open to harvest those open have intense harvest.
- The factual data presented to you is the white paper from the Wild Steelhead Coalition. To continue killing wild steelhead in the face of this information cannot be justified by what opponents of the moratorium are calling WDFW’s “good science.”
- Read the legislative mandate again (RCW 77.04.012) Use your judgment. In the 1950’s there were 125 rivers providing 60-90,000 wild steelhead a year. By 2001-02 the number was 6786, by 2002-03 3554. That is not preserving, protecting and perpetuating.
- MSH forces managers to focus solely on fishing and harvest.
- The affected rivers do not have healthy runs only “relatively” healthy runs. Escapement goals are too low and wild fish are hurt by hatchery programs. Catch and release is not enough – rivers should be closed altogether and catch and release rivers should be limited to baitless, unbarbed hooks.
- Catch and kill fisheries open the door to those who bend the rules. Zero retention is easy to patrol. Killing wild steelhead is a thing of the past.
- The moratorium is in direct accordance with National Park Service Fisheries Management Policies, designed to 1) protect and perpetuate native aquatic species and natural habitats 2) focus on preserving or restoring natural behavior, genetic viability and ecological integrity of native fish populations and 3) provide quality and diverse recreational fishing opportunities only when ecosystem impacts are minimal.
- The reasons for the decline are as follows” Hatcheries: Chamber’s Creek stock. There is no hope of restoration of this early component while this brood stock is used in hatcheries. The hatchery fish are still spawning in the wild. MSY resulted in only a pathetic handful of runs that will support harvest. In streams now closed, the stocks have deteriorated until there are not enough left for recovery. Habitat losses are severe and the warming climate intensifies the magnitude of runoff from melted snow, resulting in shallower, wider, higher velocity streams with few meanders, etc. Tribal and non-tribal fishing equipment has progressed, so any place steelhead travel can be easily fished. Anglers come from other states and provinces. The March-April fish are under terrible pressure.
- Hatchery fish compose 97.7% of the harvest, so the moratorium is only a perceived loss of opportunity.
- I would support the Commission’s decision to establish a trophy wild steelhead retention of only 1 fish per calendar year if and only if the tag/permit was issued for \$1000 and the proceeds went to stream restoration work or land purchase.
- The moratorium is essential. Look at the success of the coho management in Neah Bay to see how much positive impact can come from increased healthy runs of wild fish. Increased runs=increased opportunity=more jobs=increased income. Forks is really more interested in preserving the opportunities for locals to kill fish than it is in preserving or improving its local economy.

- I do not believe that anything in Washington state's constitution, statutes or regulations requires the Commission to manage wildlife resources to maximize a particular local community's economic opportunities
- Most fishers enjoy 1) fishing for steelhead, 2) catching steelhead and 3) harvesting steelhead, in that order. Having wild fish to catch satisfies #2.
- The importance of genetic diversity in wild populations cannot be understated. Wild harvest regulations selectively eliminate specific segments of a population, altering the evolutionary future of populations. Other factors demanding wild steelhead release are: repeat spawners, favorable hook and release mortality studies, region wild release management tools in BC Idaho and Oregon, increasing recreational opportunity and favorable economic benefits statewide.
- Allocation with the tribes is a function of WDFW and tribal rule making. These rules can be changed and should not affect your decision as to the biological base for implementing the moratorium.
- Arguments claiming that banning retention of wild steelhead fails to maximize the utilization of the resource RCW 77.04.012, upon much of which the legal control arguments rest, is incorrect. In which scenario is the resource best utilized - one providing for the catch and release of a fish, which can potentially be caught again and will give rise to genetically diverse offspring that will be best adapted to their ever changing environment or eliminating the fish from the resource the first time it is caught?
- Retention models are based on macro information and do not allow the level of detail necessary to adapt to reality in real-time, nor to the resource on a micro level. By the time we are in a position to adapt our rules, the damage has been done
- Most of those complaining about the moratorium are more concerned about the money in their pocket now than about having healthy wild steelhead runs for the next generations.
- If the fishery were more substantial and fish-friendly in Forks, our guide service would book more trips over there. It is time this state gets a grip on life and realizes that the money the economy could gain from the fly-fishing industry is substantial.
- In Oregon, there is currently a moratorium on wild steelhead retention, due primarily to the listing of nearly all the runs as threatened or endangered under ESA. While initially unpopular, the situation has become accepted, and has shown some success. The John Day run (a totally wild run) has recovered to the point that there may be some wild harvest allowed in the near future.
- There are no "excess" wild fish- there are too many environmental hazards. No-kill rules on interior and Puget Sound rivers were put on too late. The concept that wild fish are expendable and that we can go back to a hatchery-based production is an arcane, Machiavellian stroll into a past policy that has not worked.
- Catch and release with single barbless hooks and artificials only retains angling opportunity with the least impact on the fish. The community benefits economically from angler days. Everything points to the lowest mortality with this type of gear. Data from the internet: hooking mortality for bait 31.4%, lures 4.9%, flies 3.8%, barbless hooks 2.6%, barbed hooks 4.8%. A closure takes the angler out of the equation and leads to disinterest. Steelhead are essentially invisible to the public and anglers are their representatives.
- A March 2004 PSMFC meeting included a presentation on Washington steelhead runs, showing that 4 moved from healthy to depressed, six remained depressed, five remained healthy and one went from critical to depressed. We need to work toward resolving the depressed returns before it becomes a crisis situation.
- Here are the top 10 reasons to support the moratorium: 1) The moratorium sets in place the opportunity to create a proactive management system instead of a reactive system. 2) The escapement goals on most if not all rivers in Washington are set too low. 3) The majority of steelhead fishermen want wild steelhead release. 4) The system WDFW has employed to manage fish stocks has proven to be less than adequate, as may be seen in the many closures due to low returns. 5) It's odd that the only 12 rivers in the lower 48 states where people can harvest wild steelhead. Something is amiss. 6). B.C. does bit allow the retention

of wild steelhead. 7) The Wild Steelhead Coalition has presented data showing wild fish are in a decline. 8) Hook and release fisheries can be self-sustaining, allowing for reduction of the hatchery program and more money for habitat restoration. 9) Wild steelhead numbers are declining while the numbers of fishermen are increasing. 10) It is the right thing to do.

### **Major points of those opposing the retention of the moratorium**

- The Commission needs to base resource management on meeting wild steelhead escapement goals. Rivers meeting the goals should permit wild steelhead retention. The Commission sets rules based on science and studies conducted by state and tribal biologists. The Commission should not support a moratorium based on special interest group's agenda items.
- Your work has kept the returns of wild steelhead at levels above what is necessary for maintaining viable runs. The opportunity to keep or to catch and release a wild steelhead will disappear in Washington waters if the moratorium is maintained. Some alternatives are reduction of the yearly limit of 5, early closures, gear restrictions, including reductions to boat access and an effort to encourage the release of wild steelhead by sport, subsistence, and commercial fishers. Another alternative would be the establishment of a limited license draw system where angler applicants could pay for up to 5 wild steelhead tags, with a maximum number of tags set for each river. Fees generated could be used for steelhead recovery programs.
- Reasons to rescind the moratorium: 1) Technical staffs of WDFW and Tribes have jointly expressed their opposition based on fishery management science not supporting any need for such action. 2) Moratorium is in conflict with current Mission Goals for WDFW and the Administrative Procedures Act. 3) Members of Washington's Legislature informed the Commission that the process being used is in violation of the law. 4) The Northwest Indian Fisheries Commission, speaking in behalf of the Boldt Case Tribes, informed the Commission that the process used of the Moratorium and its review violates the co-management requirement called for in the Federal Court action on *U.S. vs. Washington*.
- Reasons to oppose the moratorium: 1) Escapement has been met or exceeded in the Quillayute system for the last 25 years. 2) WDFW fish biologists did not recommend it. 3) The Tribes and their biologists did not recommend it. 4) The Tribes were not consulted before the Commission took this action. 5) The Tribes will continue their gill net fishery through the moratorium and negate its effect. 6) Sufficient regulations are already in place. 7) Special interest groups should not manage the steelhead fishery. It should be managed by science. 8) Economic impacts to Forks were not taken into consideration nor was the City of Forks allowed input into this decision. 9) There is a tradition in Forks of harvesting your own fish – a form of recreation for the senior citizens. 10) Scientific data shows the average run size will not increase from the moratorium. 11) Harvest rates for all fisheries are only 40% a very safe level. If the moratorium stands I will continue my lawsuit against the Commission.
- The wild steelhead resource should be available to all citizens not just the elite I-5 corridor condo dwellers. If escapement goals cannot be met, close the stream and allow it to rebuild with no C&R for the rich.
- Reasons not to extend the moratorium: I oppose extending the moratorium and my reasons follow: 1) wild steelhead C&R is not the only tool we can use. It should not be used as a broad-brush gesture to appease vocal special interest groups. 2) Recreational fishers are saddled with the brunt of WDFW's actions to manage declining runs, when there are many other causes. 3) The Quillayute system's runs are increasing. 4) Refer to WDFW's survey In 2001 where 72% on Washington's fishermen wanted to take a wild steelhead home.
- Some clients who are members of the Wild Steelhead Coalition were excited about the moratorium, but when I told them the King run is in way worse shape than steelhead they have no problem killing them to take home. People supporting the moratorium are not interested in total fish release, just the fish that interest them. And most of them are fly fishermen. I think the rule would only benefit a small portion of special interest groups.

- The moratorium is inequitable and insupportable and should be repealed. The determination should be made on a river-by-river basis and the Commission should have a standing policy with the following concepts: "The Commission supports any measures necessary for the restoration of harvestable numbers of salmon, trout and steelhead in specific rivers provided it can be legally demonstrated that conservation measures are needed and there is agreement by all management authorities to enforce the measure."
- Going from two fish a day to zero is ridiculous. You should consider 2 wild fish per season and voluntary catch and release. If you continue this course of no opportunity we will no longer fish the Olympic Peninsula and save out money for a yearly trip to Canada or Alaska.
- A 2-year moratorium proves nothing. It doesn't even include a cycle of returning fish. The benefits of a restricted fishery in BC have been minimal. The Thompson River has been catch and release since 1985 and is dominated by a fly fishing fraternity and the runs have declined to a point where they plan to prevent fishing of any kind.
- When runs continue to meet escapement goals, limited harvest of wild fish is essential. Emergency closures, when necessary, provide necessary protection. When such closures are implemented, all fishing should be closed, including catch and release.
- I plan on fishing in southern Oregon where ODFW has opened 6 new streams to wild steelhead retention. Why do Washington and Oregon diverge so greatly on the issue of wild steelhead retention? If you were really serious about the health of native steelhead stocks, you would have placed a moratorium on all fishing for wild steelhead, not just retention. Fish die in catch and release fisheries. Hooking mortality in Peninsula streams is about 25%. Fish are played too long on light tackle, then held up for a picture, then the fly is removed, all increasing the mortality. By enacting the moratorium you are increasing this scenario many fold and increasing hooking mortality rates. It also encourages poaching. Poachers know there is little chance of being caught because of lack of enforcement. The only way to truly enforce escapement is to close all fishing.
- We are dependent on winter steelhead fishermen for economic stability and as consumers we depend on the catch of fish for our heart healthy diet and on their eggs to catch more.
- I would like to see continued attention paid to the environment this species thrives in.
- Concerns of the Quileute Tribe: 1) Without a conservation need, it is possible returning fish could exceed the carrying capacity for rivers and adversely impact survival per spawner. 2) A mechanism to evaluate the first point exists pursuant to *Hoh v. Baldridge* for Pacific rivers – they must be managed on a river-by-river and run-by-run basis. Yet, the tribes were not included in any discussion or consultation regarding the moratorium. Omission of such consultation violates *U.S. v. Washington*. 3) Because we have no information that steelhead in the Quillayute watershed need to be in conservation status, we have not closed the tribal fishery. That situation has the potential to create racial tension towards tribes. 4) WDFW staff did not find a need for the moratorium – what, then, was the motive? 5) We are concerned that the lawful administrative process was not followed when the moratorium was enacted; instead, it came by fiat of the Commission. For the upper reaches of the tributaries of the Quillayute River, both retention and catch and release management policies should be addressed. Reduction of fishing pressure might improve survival. Therefore we suggest closing fishing in the upper reaches of the following rivers from February 28 through May 31: Dickey, Sol Duc, Calawah River and Bogachiel. These changes will maintain and increase the number of wild steelhead in the Quillayute River System and promote sustainable harvest fishing opportunities into the future.
- I see no justification for Washington to sponsor Torture and Abuse (C&R) under any circumstances. That decision should be made by the individual fisherman.
- On the Hoh, the average returns over the last 5 years have been about 198% of the escapement goal. On the Queets the average returns over the last 5 years have been about 140% of the escapement goal. On the Quillayute, returns have averaged 305% of the goal. In the Green/Duwamish river system the hatchery production of summer steelhead has introduced a small wild population where no native summer stock had existed. The juveniles compete for food and habitat with the native winter steelhead. It would be in the best interests

of the native stock to allow harvest of these fish. No one knows for sure the cause(s) of the recent decline of many of our steelhead stocks, but sport harvest is seldom, if ever, among the causes. During the years when the Quillayute was averaging three times its escapement goal, the numbers on many catch and release rivers that empty into the Strait of Georgia have plummeted, even though they are protected.

- Northwest Indian Fisheries Commission (NWIFC) stresses the need to recommit to regular discussions between the tribes and the Fish and Wildlife Commission (FWC) and also point out the functional relationship between the tribes and the State of Washington is not simply one of agreeing to cooperate, but a legal co-management relationship established by court orders, requiring consultation and agreement on all significant fishery management decisions. If the FWC continues to make specific fishery management decisions for steelhead, rather than delegate that authority to the director as you have done for salmon, we will have to continue to meet directly with you and work out procedures for making co-management decisions. NWIFC member tribes oppose the moratorium and request that you immediately repeal it. This decision should be made on a river-by-river basis with joint management between WDFW and the effected tribes. Statewide wild steelhead release raises a number of complicated legal and policy questions concerning opportunity, allocation and conservation. Hoh River steelhead is a specific example. If the FWC does not repeal the ban, negotiations on Hoh steelhead will have to be reinitiated and litigation may be resumed.
- Hoh Tribe says the Commission should have knowledge of a pending lawsuit filed by the state against the Hoh Tribe and its proposed steelhead fisheries beginning in the 2002-03 season and the unresolved issues underlying that suit. As a result, the Tribe has to consider the Commission's actions to be made as a gesture of disrespect toward WDFW, the Hoh Tribe, and existing federal court orders that recognize the tribes as co-managers.
- City of Forks says they suspect that some Commissioners may try to look at this issue as a "numbers game" – so many for or against the moratorium. Think about what has occurred since February - a remarkable agreement opposing the moratorium has arisen amongst a truly diverse group of interests that include the City of Forks, Quileute Tribe, NWIFC, Steelhead Trout Club of Washington, Puget Sound Anglers, the King County Outdoor Sports Council's steelhead committee, and numerous Legislators.

### **Amendments to proposed rules**

- Suggest a one fish wild steelhead limit per license year on some rivers. Regulate the keeping of wild steelhead with spaghetti tags. The tag to keep one wild steelhead should cost \$10. No replacement tags should be issued. No retention of wild steelhead on Puget Sound rivers unless a river has met its wild steelhead escapement goal for three consecutive years.
- One fish limit with two in possession.
- Would support any number between 5 and 7. Would propose that wild steelhead retention is allowed on the Skokomish, Hamma Hamma and Duckabush rivers. Allowing wild steelhead retention will provide more fishing opportunities there and would not result in a negative impact on the wild steelhead runs. On the Skokomish there is no clear distinction between wild and hatchery steelhead. Should not use the term "wild steelhead", but marked and unmarked instead. Should consider the total run when setting regulations for this river.
- Chehalis River – mouth to Porter Bridge – restore the rule allowing wild steelhead retention December 1 – April 31, one wild fish per day.
- Lessening the catch limit would be close to as effective as a total ban, even if it is only for two years. Maybe lessening the daily limit to one or two per day per licensed angler would be beneficial to meeting your goal while making a multitude of anglers consistently anxious to fish in WA.
- Suggest adding language to the proposal that limits anglers to "5 wild steelhead per year, 1 wild steelhead per calendar month."
- Propose a daily limit of 1 and a yearly limit of 10, not more than 3 from any one river. Propose opening the Sol Duc and Bogachiel to the Park boundary for wild fish retention and the Calawah to the South Fork



- Green/Duwamish season should run to December 15 instead of Nov 30.
- Any moratorium should be delayed until the catch and release matter has been given thorough airing and consideration.
- Here are some Amendments for discussion: 1) Bogachiel, Calawah, Clearwater, Dickey, Goodman, Hoh, Hoko, Pysht, Quillayute, and Soleduck – wild steelhead retention allowed Thursday, Friday, Saturday and Sunday, one a day, four a year. 2) Same rivers, but release all wild fish over 23# to be determined by the Commission for example all male fish over 36" and all female fish over 34" must be released. 3) Close the above rivers Monday-Friday the last week of March including the tribes. 4) Same rivers, wild steelhead retention allowed; 1 wild fish a day, 4 per year. 5) January 2006 review wild fish harvest on punch cards and tribes catch of wild fish to determine how plentiful the wild fish runs are. 6) If catch and release on the rivers above is retained, propose to the Commission to triple the hatchery production to produce more fish in December and January. Green River could use an increase in hatchery plants. 7) Green River - restore rules and regulations allowing wild steelhead retention except change to one wild steelhead a day and annual limit of 4 wild steelhead.
- The rules should be changed to allow a sport fisherman to retain 10 wild steelhead per license year with no more than 2 from any one river and no more than one per day.
- My proposal is 2 wild steelhead and catch and release in the month of April.

#### **Other Ideas, issues**

- Should increase winter hatchery production on the Cowlitz River – what is going on at Blue Creek hatchery? Plant more summer steelhead in the SF Toutle. The Skykomish River should be open above Reiter Ponds all summer.
- Change the regulation on no bait on Snoqualmie River. Single hook, barbless is fine, but I like to fish bait. Fly fishermen don't own the river, bait fishermen pay for the fishery like anyone else.
- Get local groups like Puget Sound Anglers and tribal hatcheries to plant smolts in rivers and creeks. Planting trees and other vegetation to keep waters cool are great, but more is needed.
- De-commercialize steelhead fishing by phasing out guide licenses. You allow a business directed to catching steelhead for profit – sportfishing? Politically the state hasn't shown the will to attempt to control Indian fishing. In common means same regulations – netting rivers, etc.
- If there is a harvestable number of wild steelhead, there should be a catch limit of five per year per fisher. See no evidence that not retaining wild steelhead has helped fish numbers in the Chehalis system. Broodstock program on the Satsop was cancelled two years ago because they could not meet their quota, but tribal net fishery continued to net. If there are enough fish for a gill net season, sport fishermen should certainly have the opportunity to keep a wild fish for dinner anywhere in the state.
- Steelhead are better protected by timely closures of commercial fisheries that are taking so many "incidental" steelhead as to cause serious doubt as to what fish are truly targeted.
- Have you considered the damage done to a tired spawning steelhead to tire them to exhaustion on a fly rod, then release them? What percentage of these catch-and-release fish die?
- Have always seen many spawning coho on Newman Creek, Vance Creek, Dry Bed Creek, and many unnamed tributaries. This past season I only saw 4 salmon. You have a shortage of coho and it will show up on catches a couple of years from now. Might consider some restrictions.
- I do not understand the difference where ocean caught undersize/unclipped salmon cannot be removed from the water prior to being released. Under the moratorium large wild steelhead seem to be removed from the water for photos
- I am disappointed with the decision to "not remove the fish to be released from the water
- I applaud your early closing of the Skykomish last winter to protect native runs.

- While nets kill these fish, my throwing back a few fish will not make a difference. Neither will the moratorium. So, with all due respect, why do you and I even bother? Forget the moratorium, and open all the rivers to steelhead catch and keep. Then between the sports catch of maybe 10% and the Indians kill of 90% all wild runs will be gone and we can forget the whole issue.
- On the Green/Duwamish a schedule allowing nets only the first week of each month would let more fish clear the area and allow a greater chance for sport anglers to selectively harvest hatchery fish.
- The best way to take care of a river with diminishing returns is to close the upper reaches (spawning areas) after February 28 and give the fish a chance to spawn without Flyfishers beating the water to a froth and trampling over fresh redds. Get rid of the moratorium, go back to 10 wild fish a year, gather data and make informed decisions.
- I ask four things of the Commission:
  1. Return the rivers of the Olympic Peninsula to *Wild Steelhead Retention*.
  2. Return the Big River to the same standards as 2003-2004; with wild steelhead retention allow keep of game fish and remove the selective gear rules.
  3. Don't impose closures without knowing the conditions present. Don't assume something is wrong and therefore feel the need to act.
  4. Provide bang for my buck and get back to the business of taking care of the Big River and adjacent Ozette; be an active governmental caretaker of our fish and wildlife resources. If funding is a problem with providing just a seasonal staff to collect the data (continue the indexing of Boe Creek for example), I call upon my legislature to remedy this.
- My suggestion is a quota system with immediate reporting to monitor escapement of wild fish. Daily reporting is possible with email and the communications systems available today. Punch cards and fish checkers would provide a system of checks and balances so that the reports can't be manipulated. Wild fish could be retained until a quota was reached. When this happens, the nets should also be removed. This would encourage guide boats to release more wild fish to extend the quota into the season.
- If a river is open to netting it should also be open to sport fishing. In fact it should be open to hook and line fishing for everyone including sport fishermen and tribes well before it is open to netting as the netting that occurs with gill nets does not allow for proper release of endangered or protected species.
- If you took every steelhead fisherman who fished last year and multiplied by 5 (the annual limit) the sport harvest would not be even close to what the Native Americans netted off the Hoh River last year. The moratorium should be rescinded. The daily limit should be 2 wild steelhead per day and the annual limit should be raised until the sportsman gets 50%.
- The 5-10% mortality associated with release is well known. What is not well known is the stress related effect of catch and release fisheries on reproductive fitness. Animals have a 2-part response to stress – an adrenaline rush and the cortisol response. The adrenaline response has an immediate effect, the cortisol response is slower, and is the one that effects reproductive success. In some studies of stressed fish the fish ovulated earlier, fecundity and egg size were different, egg survival was lower, etc. The effects are worse at higher temperatures. Novice anglers injured more fish in the studies, but they landed fish faster, which is better for the fish's blood chemistry. (literature cited attached)
- I suggest the following course of action: 1) Count the fish. We must have better science and data on this issue. 2) Put a quota on guides. 3) Restrict the method of harvest. 4) Restrict the use of power boats to the Quillayute only.

**Reason for adopting the rule, response to comments on proposed rule**

The Fish and Wildlife Commission acknowledges that there are powerful arguments and strong feelings on both sides of this issue. A strong conservation ethic was expressed by both sides, as was the need for more information about the health of wild steelhead stocks around the state. The Commission also understands the importance of the cultural value placed on these fish. In recognition of all these factors, the Commission has decided on a compromise where some wild steelhead harvest is allowed, but the amount of harvest is further limited by decreasing the annual limit from five fish to one fish. The Commission also reiterated their assignment to Department staff to produce a scientific assessment of wild steelhead stocks and a fishery management plan for wild steelhead.